

REMARKS

The Examiner is thanked for the due consideration given the application. This Amendment is being filed concurrently with an Appeal Brief.

Claims 16-20, 23-25 and 27 are pending in the application. Claims 23-25, 27 and 28 have been withdrawn from consideration. Claims 16-22 are rejected. This amendment amends claim 16 to improve the language and to better set forth the invention being claimed,

No new matter is believed to be added to the application.

Entry of this amendment is respectfully requested because it instantly overcomes a rejection, thereby reducing issues for appeal.

Rejection Under 35 USC §112, Second Paragraph

Claims 16-20 have been rejected under 35 USC §112, second paragraph as being indefinite. This rejection is respectfully traversed.

The Official Action asserts that claim 16 lacks antecedent basis for the limitation "said system". However, instantly amended claim 16 replaces this limitation with the recitation "said spectacle frame," which has full antecedent basis.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

Rejection Over MORTON and WARSHAWSKY

Claims 16-20 have been rejected under 35 USC §103(a) as being unpatentable over MORTON (U.S. Patent 1,674,983) in view of WARSHAWSKY (U.S. Patent 4,492,488). This rejection is respectfully traversed.

The patentability of the present invention over MORTON and WARSHAWSKY has been fully set forth in the concurrently filed Appeal Brief. For brevity, the arguments in the Appeal Brief are not reproduced here.

A *prima facie* case of unpatentability has thus not been made over claims 16-20.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

Conclusion

It is believed that the rejections have been overcome, obviated or rendered moot and that no issues remain. The Examiner is accordingly respectfully requested to place the application in condition for allowance and to issue a Notice of Allowability.


The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

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overpayment to Deposit Account No. 25-0120 for any additional
fees required under 37 C.F.R. \$ 1.16 or under 37 C.F.R. \$ 1.17.

Respectfully submitted,

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